

---

**From:** Hall, Lynda  
**To:** Best-Wong, Benita; Evans, David  
**CC:** Wall, Tom; Bonanno, Gale; Waye, Don; Nandi, Romell  
**Sent:** 12/5/2013 1:06:15 PM  
**Subject:** OR CZARA Decision Document and FRN - for Nancy Stoner signature next few business days  
**Attachments:** OR 6217 FINAL FRN 120413b.docx; OR CZARA Decision Doc 12-3-13.docx

Benita and Dave,

As Benita is aware from previous briefings, EPA and NOAA must make a determination as to whether Oregon has submitted an approvable coastal nonpoint program, in response to a settlement agreement. The new (post-shutdown) date for this action is to issue the FRN by December 20<sup>th</sup>. The agencies are proposing to disapprove OR's coastal nonpoint program, a precedential action.

Attached is the final FRN and supporting decision document. These have received extensive review and sign-off by NOAA staff and middle management (going through senior management review concurrently with EPA); Region 10 management, technical staff, and legal counsel; OGC sign-off at the General Counsel level; and NSCB review. Tom had an opportunity to review the documents yesterday.

I am providing these FYI and for review if desired. These documents are currently undergoing WPS review and will be going to Nancy for signature over the next few business days. We briefed Nancy and Ken on this action in late October, and have been sending updates via OW talking points.

Please let me know if you need anything else.

Thanks,

Lynda

---

**From:** Waye, Don  
**Sent:** Thursday, December 05, 2013 12:57 PM  
**To:** Jones-Coleman, Diane  
**Cc:** Nelson, Tomeka; Hall, Lynda; Lousberg, Macara  
**Subject:** Attn Diane Jones-Coleman: Request for EXPEDITED Processing - WITH attachments this time!

The attachments would help. J

---

**From:** Waye, Don  
**Sent:** Thursday, December 05, 2013 12:54 PM  
**To:** Jones-Coleman, Diane  
**Cc:** Lousberg, Macara; Nelson, Tomeka; Hall, Lynda  
**Subject:** Attn Diane Jones-Coleman: Request for EXPEDITED Review of Federal Register Notice & Proposed Findings Document for Oregon CZARA

Hi Diane,

I just place a Federal Register Notice Package on your chair for expedited processing. Macara is reviewing this at the supporting Proposed Findings Document that gets published with the FR Notice. OGC is wrapping up one final scrub of the Proposed Findings Document today, but all have signed off on the FR Notice (well, Macara is reviewing this now). See Macara's note below that we are positioning this to have Nancy sign the notice before she heads out of town next Monday.

Also, per the hand-note I left for you, a reminder that NOAA will sign the FR Notice after Nancy does. NOAA is also publishing the Notice and has requested that Nancy sign ALL 3 original Notices, but that she should leave the date field blank (for NOAA to fill in once they sign).

THANKS!!

Don Waye  
U.S. Environmental Protection Agency  
Nonpoint Source Control Branch (OWOW/AWPD)

USPS Mailing Address:	Office (FedEx/UPS delivery):
Mail Code 4503T	Room 7417H
1200 Pennsylvania Ave, NW	1301 Constitution Ave, NW
Washington, DC 20460	Washington, DC 20004
Phone: (202) 566-1170	Fax: (202) 566-1331
Email: <a href="mailto:waye.don@epa.gov">waye.don@epa.gov</a>	Website: <a href="http://epa.gov/nps">epa.gov/nps</a>

---

**From:** Waye, Don  
**Sent:** Thursday, December 05, 2013 12:18 PM  
**To:** Lousberg, Macara  
**Cc:** Hall, Lynda  
**Subject:** RE: Attn Macara - Request for EXPEDITED Review of Federal Register Notice & Proposed Findings Document for Oregon CZARA

Macara,

You are wonderful. Thanks again. NOAA emphasizes that 3 originals must be signed by Nancy Stoner, but that the date field needs to be blank (so that NOAA can date it after Nancy's counterpart at NOAA signs it). Since NOAA is handling the publishing of the notice, we defer to them on the process.

I am walking a folder of 3 hard copies of the notice down to you right now.

Don Waye  
U.S. EPA - Nonpoint Source Control Branch  
Phone: 202-566-1170

---

**From:** Lousberg, Macara  
**Sent:** Thursday, December 05, 2013 7:20 AM  
**To:** Waye, Don  
**Cc:** Sweeney, Stephen; Hall, Lynda  
**Subject:** RE: Attn Macara - Request for EXPEDITED Review of Federal Register Notice & Proposed Findings Document for Oregon CZARA

Hi Don. We will get this moving today. Hopefully we can get it to Nancy for signature tomorrow because she's on travel next Monday-Wednesday. If we find changes that need to be made though, sounds like we can still get it to her for signature next Thursday and meet your deadline. If OGC's review does end up with changes being made, please let us know ASAP. Thanks.

Macara

---

**From:** Waye, Don  
**Sent:** Wednesday, December 04, 2013 6:16 PM  
**To:** Lousberg, Macara  
**Cc:** Sweeney, Stephen; Hall, Lynda  
**Subject:** FW: Attn Macara - Request for EXPEDITED Review of Federal Register Notice & Proposed Findings Document for Oregon CZARA

I think we're on the same page now, Macara. We definitely hear a big clock ticking and want to get this in front of Water Policy Office eyeballs ASAP. Thanks!

-Don

---

**From:** Hall, Lynda  
**Sent:** Wednesday, December 04, 2013 6:11 PM  
**To:** Waye, Don; Sweeney, Stephen  
**Subject:** Re: Attn Macara - Request for EXPEDITED Review of Federal Register Notice & Proposed Findings Document for Oregon CZARA

Yes we should encourage Macara to proceed.

---

**From:** Waye, Don  
**Sent:** Wednesday, December 04, 2013 6:09:57 PM  
**To:** Sweeney, Stephen  
**Cc:** Hall, Lynda  
**Subject:** RE: Attn Macara - Request for EXPEDITED Review of Federal Register Notice & Proposed Findings Document for Oregon CZARA

Okay. Thanks for that clarification. So Macara's review can proceed? We just want to get this in her queue ASAP, given the pressing deadline.

---

**From:** Sweeney, Stephen  
**Sent:** Wednesday, December 04, 2013 6:08 PM  
**To:** Waye, Don; Lousberg, Macara  
**Cc:** Hall, Lynda; Nelson, Tomeka  
**Subject:** RE: Attn Macara - Request for EXPEDITED Review of Federal Register Notice & Proposed Findings Document for Oregon CZARA

Or, more precisely, the documents should clear OGC review tomorrow morning. We don't anticipate any pause or problems.

---

**From:** Waye, Don  
**Sent:** Wednesday, December 04, 2013 6:05 PM  
**To:** Lousberg, Macara  
**Cc:** Hall, Lynda; Nelson, Tomeka; Sweeney, Stephen  
**Subject:** Attn Macara - Request for EXPEDITED Review of Federal Register Notice & Proposed Findings Document for Oregon CZARA

Macara,

OWOW is requesting your expedited review of the two attachments. The FR Notice is required to be signed by both EPA and NOAA and published by 12/20/13 under the terms of a settlement agreement. (Actually, the requirement was for an 11/15 public notice, but we renegotiated with the plaintiff after the shutdown for 12/20.)

All of our management through Nancy Stoner & Ken Kopocis have been briefed (along with briefings with R10's RA and NOAA). These documents have cleared OGC review, as well. The goal is to get the final version of these documents in front of Nancy Stoner for her to sign the FR Notice not later than noon on 12/12 so her counterpart at NOAA can sign the notice by 12/16. Any later than that, and we will likely miss our deadline. NOAA is handling the actual typesetting/publishing of the FR Notice.

Thank you!

Don Waye  
U.S. Environmental Protection Agency  
Nonpoint Source Control Branch (OWOW/AWPD)

USPS Mailing Address:                      Office (FedEx/UPS delivery):  
Mail Code 4503T                              Room 7417H  
1200 Pennsylvania Ave, NW    1301 Constitution Ave, NW

Washington, DC 20460  
Phone: (202) 566-1170  
Email: [waye.don@epa.gov](mailto:waye.don@epa.gov)

Washington, DC 20004  
Fax: (202) 566-1331  
Website: [epa.gov/nps](http://epa.gov/nps)

---

**From:** Waye, Don

**Sent:** Wednesday, December 04, 2013 5:55 PM

**To:** Hall, Lynda

**Subject:** Attn Lynda - Oregon CZARA Federal Register Notice & Proposed Findings Document

Lynda,

Attached is what I hope is the FINAL Federal Register Notice and final proposed findings document for Oregon's coastal nonpoint program (barring any last-minute required edits from Macara Lousberg or our management). I checked with Tomeka and with Nancy Stoner's assistant and they both confirmed that these need to be reviewed by Macara in the Water Policy Office before being proffered for Nancy Stoner's signature. I will send these attachments to Macara. Meanwhile, will you please send them to our management in OWOW?

In the interest of time, I am suggesting that we do as much as possible electronically and cut back on formal transmittal memos, since everyone through Benita, Nancy & Ken Kopocis (not to mention NOAA and EPA R10) has already been briefed on this action.

Thank you!

Don Waye  
U.S. Environmental Protection Agency  
Nonpoint Source Control Branch (OWOW/AWPD)

USPS Mailing Address:	Office (FedEx/UPS delivery):
Mail Code 4503T	Room 7417H
1200 Pennsylvania Ave, NW	1301 Constitution Ave, NW
Washington, DC 20460	Washington, DC 20004
Phone: (202) 566-1170	Fax: (202) 566-1331
Email: <a href="mailto:waye.don@epa.gov">waye.don@epa.gov</a>	Website: <a href="http://epa.gov/nps">epa.gov/nps</a>